

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT

RANCHO DETENTION BASIN, PHASE II

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 14th day of December, 2006 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are generally identified in the 2002 Master Plan, Structure No. RCHO 0062 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley; and

WHEREAS, an Interlocal Contract dated July 8, 2004 and Supplemental Interlocal Contracts dated December 9, 2004 and May 18, 2006 for the engineering design for Rancho Detention Basin Phase II were entered into between the DISTRICT and the CITY; and

WHEREAS, the CITY wishes to increase funding for engineering design; and

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

**SECTION II – PROJECT COSTS shall be revised to read as follows:**

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed \$420,000.
2. The total cost of the contract shall not exceed \$420,000 which includes all of the items described in paragraph one above.

3. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
4. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

**SECTION III – GENERAL, paragraph 10 shall be revised to read as follows:**

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for Project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:
  - A. Right-of-way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
  - B. Predesign engineering (all work prior to design excluding right-of-way).
  - C. Design engineering.
  - D. Construction engineering.
  - E. Construction (all work after award of construction contract).
  - F. Environmental: costs incurred by the Lead entity for the preparation of environmental documentation applicable to the Project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g. EIS or EA).
  - G. Other including landscaping, flood insurance rate map amendments or revisions, etc.

All other sections of the interlocal contracts dated July 8, 2004, December 9, 2004 and May 18, 2006 shall remain unchanged.

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IN WITNESS WHEREOF, this Third Supplemental Interlocal contract is hereby executed as of the date first set forth above.

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

December 14, 2006  
ATTEST:

BY: Lawrence L. Brown III  
LAWRENCE L. BROWN, III, Chairman

Carolyn Frazier  
CAROLYN FRAZIER  
Secretary to the Board

Approved as to Form:

BY: Christopher Figgins  
CHRISTOPHER FIGGINS  
Chief Deputy District Attorney

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Date of Council Action:

CITY OF LAS VEGAS

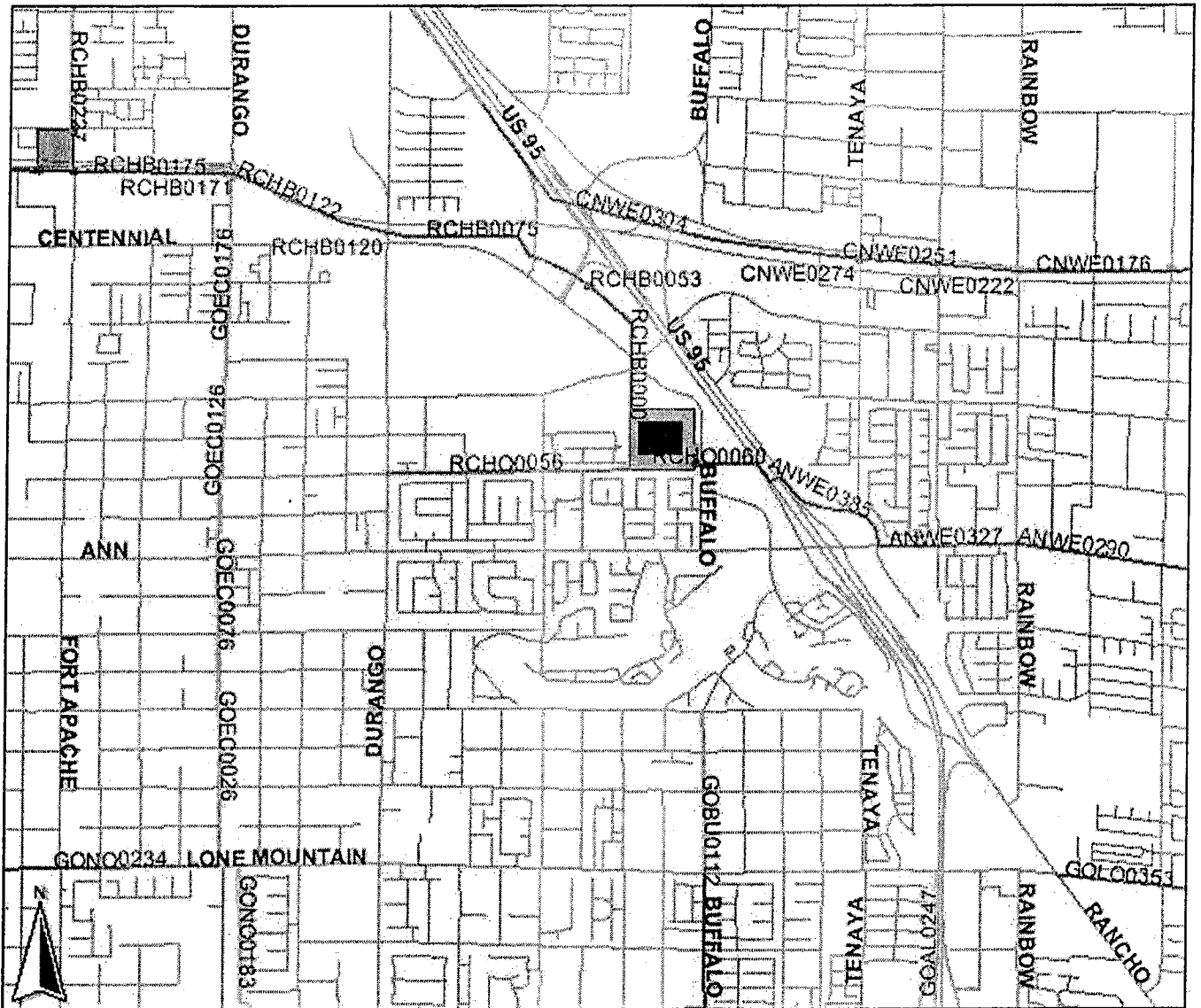
12/20/06  
ATTEST:

BY: Oscar B. Goodman  
OSCAR B. GOODMAN, Mayor

Barbara Jo Ronemus  
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

Thomas R. Green 12/28/06  
Thomas R. Green      Date  
Deputy City Attorney



**Exhibit A**  
**Rancho Detention Basin Phase II**  
**RCHO 0062**